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DaimlerChrysler
Intellectual Capital CorporationRECEIVED
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Fax**To:** Examiner Shin Hon Chen**From:** Gordon K. Harris, Reg. No. 28,615**Fax:**
(571) 273-8300**Pages:** 14 + cover**Phone:** (571) 272-3789**Date:** February 7, 2006**Group Art Unit:** 2131**Re:** Application No. 09/993,221

See the attached:

- 1) Transmittal form;
- 2) Fee Transmittal (in duplicate); and
- 3) Appeal Brief w/Appendix

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Susan J. Sidwell

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Attorney Docket No. 705444US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 07 2006

Group Art Unit: 2131)
 Examiner: Shin Hon Chen)
 Serial No. 09/993,221)
 Applicants: McCaffrey et al.)
 Filed: November 19, 2001)
 For: **METHOD AND SYSTEM FOR
 PERSON DATA AUTHENTICATION
 MANAGEMENT**)
 Attorney Docket No.: 705444US1)

APPEAL BRIEF

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is an appeal from the Final Rejection of Claims 1—11 under 35 U.S.C. § 103 (a) in the Office Action mailed July 13, 2005.

I. REAL PARTY IN INTEREST

The real party in interest is DaimlerChrysler Corporation, a corporation organized and existing under the laws of the State of Delaware U.S.A., and having a principal place of business in Auburn Hills, Michigan, U.S.A.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences which would directly affect or be directly affected by or have a bearing on the Board's decision in the instant appeal.

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/993,221	
	Filing Date	November 19, 2001	
	First Named Inventor	McCaffrey et al.	
	Group Art Unit	2131	
	Examiner Name	Shin Hon Chen	
Total Number of Pages in This Submission		Attorney Docket Number	705444US1

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (two months) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) (in Triplicate) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	DaimlerChrysler Intellectual Capital Company LLC	Attorney/Agent Name	Reg. No.
		Gordon K. Harris, Jr.	28,615
Signature	<i>Gordon K. Harris, Jr.</i>		
Date	February 7, 2006		

CERTIFICATE OF FACSIMILE TRANSMISSION			
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Typed or printed name	Susan J. Sidwell		
Signature		Date	

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II. STATUS OF THE CLAIMS

Claims 1—11 are pending in this application. All pending claims have been rejected and are the subject of this Appeal. A copy of Claims 1—11 is set forth in the Appendix hereto.

IV. STATUS OF AMENDMENTS

In response to an initial Office Action of January 27, 2005, Applicants filed an Amendment and Response amending Claims 1—10 and adding new Claim 11.

In response to the Final Office Action of July 13, 2005, Applicants filed a Response After Final Rejection on October 6, 2005, with no further amendment to the pending claims. A Notice of Appeal with a request for a two month extension of time was filed December 8, 2005.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The invention concerns a virtual relational database system directed to authenticating and maintaining person data.

Applicants' claim in independent Claim 1 a computer-implemented system (90 of Fig. 3) for virtually linking a plurality of unrelated database systems (230/250, 232/252, 234/254 of Fig. 3 in conjunction with the specification at page 7, lines 19 to page 8, line 1), authenticating core person data (page 10, lines 16—20) input into said plurality of unrelated database systems and managing through business rules (246 of Fig. 3 in conjunction with page 10, lines 1—6) said core person data. The system includes a person data repository (100 of Fig. 3) for storing the core person data for all persons requiring visibility in any one of said plurality of unrelated database systems wherein said core person data comprises a person name and birth date identifier (page 10, lines 16—20). A controller module (244 of Fig. 3 in conjunction with page 8, lines 18-22) is connected to the person data repository and is arranged to apply a set of business rules (102 of Fig. 2 or 246 of Fig. 3) for

restricting access, input, and modification of the core person data by the plurality of unrelated database systems. An access control module (242 of Fig. 3) is connected between user interfaces (236, 238, 240 of Fig. 3) of each of the plurality of unrelated database systems and the controller module. The access control module monitors the user interfaces for input, querying or modification of the core person data and imposes the business rules when an attempt is made to input, query or modify the core person data (page 8, lines 4—17) thereby controlling access to the person data repository from any of the plurality of unrelated database systems. An authentication module (248 of Fig. 3) is connected to the controller module for authenticating as unique the addition of a person to the core person data by the person name and birth date identifier (page 10, lines 1—6). The core person data is authenticated and maintained for the plurality of unrelated database systems as a virtual relational database of the core person data.

In independent Claim 10, Applicants' claim a method for authenticating person data (page 10, lines 16—20) to a plurality of unrelated database systems comprising a plurality of databases (230/250, 232/252, 234/254 of Fig. 3 in conjunction with page 7, line 19 to page 8, line 1). The method includes providing a person data repository (100 of Fig. 3) for containing the person data for all persons requiring visibility in any of the plurality of unrelated database systems. A controller module is provided (244 of Fig. 3) for monitoring user interfaces (236, 238, 240 of Fig. 3) of each of the plurality of unrelated database systems for a request to input new person data into any one of the plurality of unrelated database systems (page 8, lines 4—17). An access control module (242 of Fig. 3) is provided and includes business rules (246 of Fig. 3) for receiving a request to input the new person data from the controller module (page 8, lines 4—17). The access control module applies the business rules of the access control module to restrict the input of the new person data into the plurality of databases if the new person data matches person data already existing in the plurality of databases (page 10, lines 1—6), whereby the person data is authenticated to the plurality of unrelated database systems.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Presented for review are:

- 1) the rejection of Claims 1—4, 6—8 and 10—11 under 35 U.S.C. § 103(a) as being unpatentable over Berson (U.S. Patent No. 6,532,459) in view of Brikho (U.S. Publication No. 2002/0113122);
- 2) the rejection of Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Berson in view of Brikho and further in view of Rippich (U.S. Publication No. 2002/0099701); and
- 3) the rejection of Claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Berson in view of Brikho and further in view of Sheu et al., "A New Architecture For Integration Of CORBA And OODB," September 1999, IEEE Transactions On Knowledge And Data Engineering, Vol. 11, No. 5, page 748.

VII. ARGUMENT

Rejection Of Claims 1—4, 6—8 and 10—11 Under 35 U.S.C. § 103(a)

Claims 1—4, 6—8 and 10—11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Berson (U.S. Patent No. 6,532,459) in view of Brikho (U.S. Publication No. 2002/0113122). The rejection is respectfully traversed.

Berson pertains to enabling a user to input identifying information about himself and then be guided to a process to find personal information regarding himself in various external databases on a network, such as the Internet. Once records about the user have been located at a particular database, the system, upon authorization of the database owner, may be used to access that

database, to the extent possible, subject to the restrictions of the database owner, and to erase, modify or correct the located records.

In Brikho, each local retailer system confirms that the present entry is for a new customer by searching for an existing customer record on a localized database established at the retail location. While Brikho also teaches networking of a plurality of retail locations, there is no disclosure of searching a single shared person repository by any of the local retailer systems.

Indeed, neither Berson nor Brikho teaches such a shared repository for storing the core person data for every person to be involved with or require visibility in one or more of a plurality of unrelated database systems. Furthermore, the cited references, taken alone or in combination, fail to teach or suggest Applicants' access control module. Berson uses the access control rules of a particular database being searched, not a shared access control module for accessing a common person data repository. In the Advisory Action of November 14, 2005, the Examiner cites Berson at Col. 5, lines 8—10 as teaching Applicants' access control module. However, the Berson knowledge base of access protocols is not concerned with accessing a common person data repository—it only relates to accessing the individual databases. Since there is no shared person data repository in the cited art, it follows that there can be no access control module teaching for controlling access to such a repository.

At Section 19 of Final Office Action, the Examiner asserts that the claim language is silent on whether the access control module is shared or not. Applicants respectfully disagree.

Independent Claim 1 calls for:

an access control module connected between user interfaces of each of said plurality of unrelated database systems and said controller module.

This limitation by necessity implies the access control module as "shared" by each of the plurality of unrelated database systems, since it is coupled to each of them.

Similarly, independent method Claim10, implies a shared access control module for receiving requests from each of the plurality of unrelated database systems via the controller module.

Therefore, the cited combination fails to teach or suggest the following limitations of independent Claim 1:

- a person data repository for storing the core person data for all persons requiring visibility in any one of said plurality of unrelated database systems wherein said core person data comprises a person name and a birth date identifier
- an access control module connected between user interfaces of each of said plurality of unrelated database systems and said controller module
- an authentication module connected to said controller module for authenticating as unique the addition of a person to said core person data by the person name and birth date identifier

Similarly, the following limitations of independent method Claim 10 are not taught or suggested by the cited combination of references:

- providing a person data repository for containing the person data for all persons requiring visibility in any of the plurality of unrelated database systems
- providing a controller module for monitoring user interfaces of each of the plurality of unrelated database systems for a request to input new person data into any one of the plurality of unrelated database systems.

The rejection of independent Claim 1, its dependent Claims 3—4, and 6—8, independent Claim 10 and its dependent Claim 11 should therefore be reversed.

Rejection Of Claim 5 Under 35 U.S.C. § 103(a)

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Berson in view of Brikho and further in view of Rippich (U.S. Publication No. 2002/0099701). The rejection is respectfully traversed.

Claim 5 indirectly depends from Claim 1 and is therefore in condition for allowance for at least the reasons set forth above with respect to Claim 1.

Rejection Of Claim 9 Under 35 U.S.C. § 103(a)

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Berson in view of Brikho and further in view of the Sheu et al. article. The rejection is respectfully traversed.

Claim 9 indirectly depends from Claim 1 and is therefore in condition for allowance for at least the reasons set forth above with respect to Claim 1.

VIII. SUMMARY

The cited references, taken separately or in combination, fail to disclose or suggest every limitation in Applicants' pending Claims 1—11. Therefore, the Examiner has failed to establish a *prima facie* case of unpatentability, and the rejections of Claims 1—11 under 35 U.S.C. § 103(a) should be reversed.

Respectfully submitted,

Mary Ellen McCaffrey et al.

Dated: February 7, 2006

BY: 

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APPENDIX**Claims 1—11**

1. A computer-implemented system for virtually linking a plurality of unrelated database systems, authenticating core person data input into said plurality of unrelated database systems, and managing through business rules said core person data, the system comprising:

a person data repository for storing the core person data for all persons requiring visibility in anyone of said plurality of unrelated database systems wherein said core person data comprises a person name and birth date identifier;

a controller module connected to said person data repository and arranged to apply a set of business rules for restricting access, input, and modification of said core person data by said plurality of unrelated database systems;

an access control module connected between user interfaces of each of said plurality of unrelated database systems and said controller module wherein said access control module monitors said user interfaces for input, querying or modification of said core person data and imposes said business rules when an attempt is made to input, query or modify said core person data, thereby controlling access to the person data repository from any of the plurality of unrelated database systems; and

an authentication module connected to said controller module for authenticating as unique the addition of a person to said core person data by the person name and birth date identifier;

whereby said core person data is authenticated and maintained for said plurality of unrelated database systems as a virtual relational database of the core person data.

2. The system of claim 1 wherein said person data repository comprises a database of said core person data coupled to said controller module.

3. The system of claim 1 wherein said person data repository comprises a relational database comprising at least a subset of databases associated with said plurality of unrelated database systems.

4. The system of claim 1 wherein said authentication module utilizes a search algorithm to determine if said person exists in said person data repository wherein said search algorithm attempts to match said person's name, birth month and birth day with names and birth data already in the person data repository.

5. The system of claim 4 wherein said search algorithm performs a Soundex search of the name of said person.

6. The system of claim 1 wherein said business rules comprise a set of contextual rules for allowing and/or disallowing the access, input, and modification of a component of said person data in said person data repository by a user of any of the plurality of unrelated database systems.

7. The system of claim 1 wherein said access control module comprises a program that is resident in the memory containing said user interface for said plurality of unrelated database systems but is apart from said user interface.

8. The system of claim 1 wherein a system interface at each of the plurality of unrelated database systems is coupled to said access control module, said system interface creating a gateway between each of said plurality of unrelated database systems and said person data repository wherein said gateway translates a protocol of each of said plurality of unrelated database systems to a protocol necessary to access, query and modify said person data repository.

9. The system of claim 8 wherein said gateway is based on the CORBA[®] protocol.

10. A method for authenticating person data to a plurality of unrelated database systems comprising a plurality of databases, the method comprising:

providing a person data repository for containing the person data for all persons requiring visibility in any of the plurality of unrelated database systems;

providing a controller module for monitoring user interfaces of each of the plurality of unrelated database systems for a request to input new person data into anyone the plurality of unrelated database systems;

providing an access control module comprising business rules for receiving a request to input the new person data from the controller module; and

applying the business rules of the access control module to restrict the input of the new person data into the plurality of databases if the new person data matches person data already existing in the plurality of databases;

whereby the person data is authenticated to the plurality of unrelated database systems.

11. The method of claim 10 wherein the person data repository comprises at least a subset of the plurality of databases.

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**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500

Complete If Known

Application Number	09/893,221
Filing Date	November 19, 2001
First Named Inventor	McCaffrey et al.
Examiner Name	Shin Hon Chen
Art Unit	2131
Attorney Docket No.	706444US1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit
Account
Number

03-1800

Deposit
Account
Name

DaimlerChrysler Intellectual Capital Company LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility filing fee	
1012	200	2012	100	Design filing fee	
1013	200	2013	100	Plant filing fee	
1014	300	2014	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fee from below	Fee Paid
	20 **	0	X	0
Independent Claims	3 **	0	X	0
Multiple Dependent				0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	785	Extension for reply within fourth month	
1255	2,160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1500	2453	750	Petition to revive - unintentional	
1501	1400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 500

4. SEARCH/EXAMINATION FEES

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1111	500	2111	250	Utility Search Fee
1112	100	2112	50	Design Search Fee
1113	300	2113	150	Plant Search Fee
1114	500	2114	250	Reissue Search Fee
1311	200	2311	100	Utility Examination Fee
1312	130	2312	65	Design Examination Fee
1313	160	2313	80	Plant Examination Fee
1314	600	2314	300	Reissue Examination Fee

SUBTOTAL (4) (\$) 0

TOTAL FEES ENCLOSED: \$500

SUBMITTED BY

Name (Print/Type)	Gordon K. Harris, Jr.	Registration No. (Attorney/Agent)	28,615	Telephone	(248) 944-6526
Signature		Date	February 7, 2006		

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